

Assembly Bill No. 984

CHAPTER 710

An act to add Part 11 (commencing with Section 12999) to Division 6 of the Water Code, relating to water.

[Approved by Governor September 29, 2006. Filed with
Secretary of State September 29, 2006.]

LEGISLATIVE COUNSEL'S DIGEST

AB 984, Laird. Tamarisk plant control.

Existing law grants to the Department of Water Resources various duties relating to the supervision of the state's water resources.

This bill would authorize the department, in collaboration with other entities, to cooperate with the federal government, other Colorado River Basin states, and other entities for the purpose of preparing a plan to control or eradicate tamarisk plants in the Colorado River watershed. The bill would require the department, the Department of Food and Agriculture, the Department of Fish and Game, and the Colorado River Board of California to seek to collaborate with affected California water agencies and other appropriate entities in that preparation.

The bill would require the department, in collaboration with other entities, to implement the plan within California upon the appropriation of funds for that purpose. The bill would require the department, the Department of Food and Agriculture, the Department of Fish and Game, and the Colorado River Board of California to seek to collaborate with affected California water agencies and other appropriate entities in that implementation.

The people of the State of California do enact as follows:

SECTION 1. The Legislature finds and declares all of the following:

(a) Tamarisk is a small tree or large shrub that was imported from Eastern Europe in the 1800s for use as windbreaks and erosion control.

(b) Tamarisk is spreading across the west, including covering hundreds of thousands of acres in the Colorado River Basin, almost entirely along waterways.

(c) Tamarisk easily out-competes native habitat, such as willows and cottonwoods, and has very little habitat value compared to native vegetation.

(d) Because of its delicate and expansive leaf structure, tamarisk on a per-acre basis takes up and evaporates substantially more water than native vegetation.

(e) Colorado River flows have been very low for the last six years because of increasing human uses and very low rainfall, and because tamarisk is taking up significantly more water than the native vegetation that it replaces.

(f) If low riverflows continue, dwindling reservoir storage will be insufficient to continue historical levels of diversions and diversions will have to be curtailed, with substantial impacts to the economies of the seven states in the Colorado River watershed.

(g) Environmental mitigation and restoration programs, such as the lower Colorado River Multi-Species Conservation Program and environmental mitigation measures for the Quantification Settlement Agreement on the lower Colorado River, may include projects that will replace invasive exotic vegetation with native vegetation. The state supports the eradication of invasive species by the Colorado River Multi-Species Conservation Program and other programs and encourages cooperation with these programs to increase the available native wetland and riparian vegetation in the Colorado River watershed.

(h) The state seeks to encourage the federal government, basin states, and water agencies to develop a program to control or eradicate tamarisk within each state's jurisdiction.

(i) Controlling tamarisk in the Colorado River watershed entails a large and costly task, but if it is not undertaken, there will be significant economic and environmental consequences for California and the other basin states.

SEC. 2. Part 11 (commencing with Section 12999) is added to Division 6 of the Water Code, to read:

PART 11. TAMARISK PLANT CONTROL

12999. (a) The department, in collaboration with the Department of Food and Agriculture, the Department of Fish and Game, and the Colorado River Board of California may cooperate with the federal government, the other Colorado River Basin states, and other entities for the purpose of preparing a plan to control or eradicate tamarisk in the Colorado River watershed. The department, the Department of Food and Agriculture, the Department of Fish and Game, and the Colorado River Board of California shall seek to collaborate with affected California water agencies and other appropriate entities in that preparation. The plan shall include the reestablishment of native vegetation and the identification of potential federal and nonfederal funding sources for implementation pursuant to subdivision (b).

(b) The department, in collaboration with the Department of Food and Agriculture, the Department of Fish and Game, the Colorado River Board of California, and appropriate federal agencies, shall implement the plan within California upon the appropriation of funds for that purpose. The department, the Department of Food and Agriculture, the Department of

Fish and Game, and the Colorado River Board of California shall seek to collaborate with affected California water agencies and other appropriate entities in the implementation of the plan.

(c) This section does not preclude the department or any other entity from expending bond funds or nonstate funds for the control or eradication of tamarisk in the Colorado River watershed.

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